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13 TIKTOK INC. and BYTEDANCE INC.

14 *[Additional Counsel Appear on Signature Page]*

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN JOSE DIVISION

18 BOGARD, MCGRATH, JANE DOE, BECCA  
19 SCHMILL FOUNDATION, *Individually and*  
20 *on behalf of all others similarly situated,*

21 Plaintiffs,

22 v.

23 TIKTOK, INC., BYTEDANCE, INC.,  
ALPHABET INC., XXVI HOLDINGS INC.,  
24 GOOGLE LLC, YOUTUBE, LLC,

25 Defendants.

Case No. 5:24-cv-03131-VKD

**DECLARATION OF DAVID P.  
MATTERN IN SUPPORT OF  
DEFENDANTS' ADMINISTRATIVE  
MOTION PURSUANT TO CIVIL  
LOCAL RULE 7-11 TO VACATE THE  
AUGUST 27, 2024 CASE  
MANAGEMENT CONFERENCE AND  
RELATED DEADLINES**

Place: Courtroom 2, 5th Floor  
Judge: Hon. Virginia K. DeMarchi

1 I, David P. Mattern, declare and state as follows:

2 1. I am an attorney with the law firm of King & Spalding LLP, and I am one of the  
3 attorneys representing Defendants TikTok Inc. and ByteDance Inc. in this action. I have personal  
4 knowledge of the matters stated in this declaration and, if called upon to do so, I could and would  
5 competently testify thereto under oath. I make this declaration in support of Defendants'  
6 administrative motion pursuant to Civil Local Rule 7-11 to vacate the August 27, 2024 Case  
7 Management Conference ("CMC") and related deadlines.

8 2. Pursuant to Civil Local Rule 7-11(a), the Parties have conferred by email regarding  
9 Defendants' request to vacate the CMC and related deadlines in light of Defendants' pending  
10 motion to dismiss, which raised, among other things, the applicability of federal immunities to suit.

11 3. The Parties have not reached a stipulation pursuant to Civil Local Rule 7-11(a).  
12 Plaintiffs oppose Defendants' request, stating that they "would prefer to keep the initial  
13 conference," and Defendants expect they will file an opposition pursuant to Civil Local Rule 7-  
14 11(b).

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on August 5, 2024, in Washington, D.C.

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18 \_\_\_\_\_  
David P. Mattern